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Attorneys for Plaintiff Infinite Monkeys & Co. LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

INFINITE MONKEYS & CO., LLC, a California
limited liability company,

Plaintiff,

vs.

NETBLUE, INC., a California corporation, and
DOES, 1 - 50,

Defendants.

Case No. C 06-04692 JF (RS)

STIPULATION AND [PROPOSED] ORDER
RE VACATING MEDIATION DEADLINE

1 Plaintiff Infinite Monkeys (Infinite Monkeys") and Defendant Netblue, Inc.
2 ("Netblue"), through their counsel, hereby stipulate as follows:

- 3 1. The Court ordered that the parties should mediate by January 16, 2007.
4 2. There is good cause to vacate the Court order setting the January 16, 2007
5 completion date for mediation: (a) Infinite Monkeys is considering dismissing this case, although
6 the terms and conditions of such dismissal have not been agreed upon; and (b) Infinite Monkeys did
7 not respond to Netblue's discovery, which was served in October, and never served any Initial
8 Disclosures.

9 IT IS SO AGREED:

10
11 Dated: January 12, 2007

JEFFER, MANGELS, BUTLER & MARMARO LLP
JEFFREY K. RIFFER
BRIAN M. YATES

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13 By: /S/ - JEFFREY K. RIFFER

14 JEFFREY K. RIFFER

15 Attorneys for Defendant Netblue, Inc.

16 Dated: January 12, 2007

WALTON & ROESS LLP
TIMOTHY J. WALTON

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18 BY: /S/ - TIMOTHY J. WALTON

19 TIMOTHY J. WALTON

20 Attorneys For Plaintiff Infinite Monkeys & Co. LLC

21
22 ORDER

23 FOR GOOD CAUSE, and pursuant to the above Stipulation, the January 16, 2007
24 completion date for mediation is vacated.

25
26
27 Dated: January 17 2007

28 
HON. JEREMY FOGEL
UNITED STATES DISTRICT COURT JUDGE

DECLARATION OF JEFFREY K. RIFFER

I, Jeffrey K. Riffer, declare as follows:

1. I am duly licensed to practice before this Court and am a partner with the law firm of Jeffer, Mangels, Butler & Marmaro LLP, counsel for Defendant, Netblue, Inc.

2. I attest that concurrence in the filing of this document has been obtained from each of the other signatories which shall serve in lieu of their signature(s) on this document.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 12th day of January 2007, at Los Angeles, California.

- JEFFREY K. RIFFER -

JEFFREY K. RIFFER